

## **REMARKS**

### **STATUS OF THE CLAIMS**

Claims 1-13 and 15-35 are pending in the application.

Claims 1-13 and 15-35 are rejected.

According to the foregoing and as discussed herein the claim are amended, and, thus, claims 1-13 and 15-35 remain pending for reconsideration, which is respectfully requested.

No new matter has been added.

### **REJECTIONS**

Claims 1-13 and 15-35 are rejected under 35 USC 103(a) as being anticipated by Machida (US Patent No. 6,035,304) in view of Borg (US Patent No. 5,813,026).

Claim 32 is rejected under 35 U.S.C. §102(b) as being anticipated by Borg. Claim 32 is also rejected under 35 U.S.C. §102(b) as being anticipated by Machida.

Claims 1-13 and 15-35 are rejected under 35 USC 112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter, as indicated in the Office Action.

The independent claims are 1, 3, 8, 15, 21, 22 and 31-34. To overcome the §102(b), §103(a) and §112 rejections, the independent claims, using claim 1 as an example, are amended as follows:

1. (currently amended) A method of displaying condition information which changes from time to time in a system transmitting and receiving the condition information from terminals connected to a network and displaying the condition information using a display unit, the system performing a process comprising:

storing a reference time for determining a freshness level of the condition information in a terminal which receives the condition information from other terminals through the network;

determining a visual freshness level of the condition information according to a determination of the freshness level of the condition information based upon said reference time and a visual freshness level determination table to determine the freshness of the condition information; and

~~updating a display mode visually displaying the freshness level of the condition information based upon combining a visual representation of the condition information and the determined visual freshness level of the condition information to determine a display mode displaying the condition information depending on the freshness of the condition information, wherein the display unit displays the display mode of the condition information and a user can observe at a glance the freshness level of the condition information.~~

Machida discloses that freshness comprises "any of the time expired from the last update time found in attribute 131, the time till the next broadcast time (described later), or the time and date till the effective time and date founded in attribute 221" (Machida column 10 lines 53-57). In other words, Machida discloses that freshness is determined either by a timer which is counting up from the last update time or a timer which is counting down from a start time to a predetermined end time. However, Machida fails to teach or suggest the claimed present invention's, "determining **a visual freshness level of the condition information** according to **a determination of the freshness level of the condition information based upon** said reference time **and a visual freshness level determination table** to determine the freshness of the condition information" and "**updating a display mode** visually displaying the freshness level of the condition information based upon combining a visual representation of the condition information and the **determined visual freshness level** of the condition information." The present invention has several advantages over the cited reference. First of all, by displaying a "**visual freshness level of the condition information**," a user does not have to wait until a timer changes in order to determine if the timer is counting up or down. For example, as in case of Machida, which discusses freshness being "time expired from the last update time," when the timer only shows the number of hours and minutes that are remaining, the user may have to wait up to a full minute to determine whether the timer is going up or down.

Another advantage of displaying a "**display mode of the condition information**" and "**visual freshness level of the condition information**" is that the user can determine, at a glance, both the content and the reliability of the condition information (e.g., a user's mood is angry and how fresh is the user's mood information). Because the claimed present invention provides displaying a "**display mode of the condition information**" and "**visual freshness level of the condition information**," the "user can therefore recognize the content and reliability of the stored condition information only by observing the display on the display area without

memorizing the time when the condition information was acquired" (for example, Present specification page 15, lines 8-13).

More particularly, the claimed present invention focuses attention on that a reliability of information gradually deteriorates depending on an elapsed time from an update time or an obtained time (see page 3, line 25 page 5, line 7 of specification). The freshness level of the information is determined depending on elapsed time from an update time or an obtained time (see FIG. 4). Further, in contrast to a combination of Machida and Borg, in the claimed present invention, ***the freshness level is associated with visual freshness level*** (see FIGS. 5, 9, 10, 18) (e.g., ***"updating a display mode visually displaying the freshness level of the condition information based upon combining a visual representation of the condition information and the determined visual freshness level"*** of the condition information" - claim 1). A user who refers to the information can visually recognize at a glance a reliability of information according to visual freshness level.

Machida discusses that a freshness level of information is changed, when version of information is changed. For example, a freshness level of information of version 1 is changed to "old" when information of version 2 is registered. On the other hand, according to the claimed present invention, a freshness of information of version 1 and a freshness of information of version 2 are changed depending on an elapsed time from an update time or an obtained time. A user can visually recognize that the freshness level of the information of version 1 is very old, even if the information of version 2 may have been registered and the user may not know that the information of version 2 has been registered already. Machida and Borg fails to disclose or suggest the claimed present invention.

Borg discloses a behavioral modification program where a user "indicates whether the user has selected one of the alternative behavioral responses or the acquired behavioral response by activating the activation button ... [and] [w]hen the acquired behavioral response is selected, the device 10 will play a sad tune" (Borg, column 8, lines 56-67). In other words, Borg discloses a behavioral modification program that requires a user to input into the device when the user has made a good choice or a bad choice. The unit responds to the user's input choice with either a positive or a negative feedback, which includes either a happy face and a happy tune or serious face and a sad tune. Borg further discloses "a series of five images representing alternative responses to the acquired behavioral response" (Borg, column 8, lines 31-35). In

other words, Borg discloses displaying alternative choices the user can make rather than the bad behavioral choice the user is trying to modify, i.e. displaying a symbol representing taking a deep breath when the user wants to smoke a cigarette. Thus Borg, Machida, and any combination thereof, fails to teach or suggest the claimed present invention's, "determining **a visual freshness level of the condition information** according to **a determination of the freshness level of the condition information based upon** said reference time **and a visual freshness level determination table** to determine the freshness of the condition information" and "**updating a display mode** visually displaying the freshness level of the condition information based upon **combining a visual representation of the condition information and the determined visual freshness level** of the condition information," because neither Borg, Machida, or any combination thereof, teaches or suggests the claimed present invention's displaying a "**display mode of the condition information**" and "**visual freshness level of the condition information**."

Furthermore, neither Borg nor Machida teaches or suggests "**a visual freshness level determination table**," (e.g., FIGS. 5, 9, 10 and 18 of the present Application) or the like, to determine the visual freshness level of the condition information. Therefore, because neither Machida, Borg or any combination thereof, teaches or suggests the features discussed above, the combination of Borg and Machida would not achieve the claimed present invention.

In other words, because Borg only discloses a "behavioral modification program," which fails to teach or suggest anything to do with freshness, there is no motivation for one skilled in the art in Borg to be combined with Machida or to modify Machida or for Borg to be modified to provide the claimed present invention. Furthermore, Machida fails to teach or suggest all possible ranges of providing freshness information, so that Machida fails to provide any motivation to be modified to provide the claimed present invention's, "determining **a visual freshness level of the condition information** according to **a determination of the freshness level of the condition information based upon** said reference time **and a visual freshness level determination table** to determine the freshness of the condition information" and "**updating a display mode** visually displaying the freshness level of the condition information based upon **combining a visual representation of the condition information and the determined visual freshness level** of the condition information."

Further, there is no evidence of motivation based upon knowledge of one skilled in the art to modify Machida and Borg to achieve the claimed present invention, as evidenced by disclosures of Machida and Borg. Therefore, because there is no disclosure in Machida and Borg, and there is no suggestion or modification motivation in Machida, Borg and knowledge of one skilled in the art, these relied upon reference either alone or as combined cannot achieve and/or cannot render obvious the claimed present invention as recited in amended independent claims. The claimed present invention provides displaying a “***display mode of the condition information***” and “***visual freshness level of the condition information***,” having a benefit that the user can determine, at a glance, both the content and the reliability of the condition information (e.g., a user’s mood is angry and how fresh is the user’s mood information), and a combined Machida and Borg system cannot achieve the claimed present invention.

In view of the remarks and claim amendments, withdrawal of the rejection of pending claims and allowance of pending claims is respectfully requested.

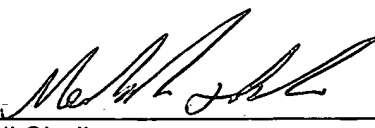
#### **CONCLUSION**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,  
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